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## Senate

The Senate met at 1 p.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

High and Holy God, we praise Your Name. Bless Your work in all the places of this world. Strengthen those who labor in distant mission fields and protect those who fight for our freedoms in foreign lands. Touch the lives of Third World victims of disease and destruction, of poverty and pathology, of tyranny and neglect.

Lord, remember our own land. Quickened the hearts of our lawmakers that they may be forces for good. Guide the efforts of those who work in our Government's executive and judicial branches, providing wisdom for the challenges they face. Redeem us from selfishness as You build into us a holy reverence for others and a desire to pursue Your purposes. We pray in Your blessed Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 21, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. BROWN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Today, following any time that will be used by the leaders, the Senate will resume consideration of the motion to proceed to S. 1348, the immigration bill.

When the Senate resumes the motion, Senator SESSIONS will be recognized for up to 3 hours. Following that time, the remaining time will be divided between the two leaders.

A cloture vote on the motion to proceed to the bill will occur at 5:30 today.

If cloture is invoked on the motion to proceed, by a previous order, the Senate would then adopt the motion and proceed to the bill.

As we know, all those who negotiated on this worked very hard over the weekend. I appreciate their work. The provisions of that agreement will be the form of a substitute agreement, which I understand will be laid down this evening.

### HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS ALEJANDRO VARELA

Mr. REID. Mr. President, over the weekend, 7 U.S. soldiers were killed in Iraq—in 2 days—bringing the total this month to over 70 and the total since the war started to 3,422 American soldiers.

On Friday, the State of Nevada lost PFC Alejandro Varela, a 19-year-old

from Fernley, NV. As he traveled south from Baghdad, his vehicle was hit by a makeshift bomb, and he was killed.

Alejandro was known in high school and by his family as Alex. Serving in the military was his ambition, and he worked very hard to earn his GED so he could arrive at the goal of being able to join the military.

For lack of a better description, my heart and the hearts of Nevadans and all Americans ache with the loss of this 19-year-old man. Yet we have to be proud of his willingness to serve and his courage and we are certainly humbled by the sacrifice he made in giving his life.

### EMERGENCY SUPPLEMENTAL

Mr. President, this week the Senate will continue the conference on the emergency supplemental bill. Negotiations have not been easy as President Bush continues to stand isolated to his commitment to this endless war. We will continue to negotiate in good faith and in the spirit of bipartisanship. We will send the President a bill that fully funds our troops. We stand firm in our commitment to change course and bring the war to a responsible end.

### IMMIGRATION REFORM

While the supplemental conference committee continues to meet, we will begin addressing the complex, crucial issue of immigration reform, and we will do that today. We all agree the current system is broken.

Employers don't know whom they can hire and whom they can fire. Produce is dying on the vine because farmers cannot find enough workers to harvest crops. There are no winners under the current system, only losers.

The Senate will have an opportunity this afternoon to vote on whether to begin debate on comprehensive immigration reform.

The bill we debate and eventually pass will give us the chance to strengthen border security, put in place an effective and efficient employer verification system, design a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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new worker program to take pressure off the borders, and give the 12 million undocumented immigrants the opportunity to come out of the shadows and into the light of America. Improving border security is only part of the puzzle. As long as the identities of those who cross the border are unknown, our national security is at risk.

There is no question but that we need more Border Patrol agents with better technology and equipment. But there is also no question that enforcement alone cannot solve the problems of immigration.

We have tripled the number of Border Patrol agents over the last 20 years and increased the Border Patrol budget 10 times over. Yet the probability of catching someone illegally crossing the border has fallen from one-third to only 5 percent. That is a startling figure.

A population as high as that of Las Vegas crosses the border every year. That is almost a million people who find their way into the country, despite our best efforts at enforcement. Fences alone would not stop them. Years of dangerous border crossings show us that millions will risk their lives for the opportunity to reach what is on the other side of that border.

We must not forget that just as these immigrants depend on America for opportunity, our economy depends on them as well. The overwhelming majority of undocumented immigrants have lived here for years, contributing to our economy lawfully and honestly, causing harm to no one.

Many have children and spouses who are U.S. citizens or permanent residents. Many own property and contribute to their communities. Yet, unlike us, they live their lives in hiding. If they are a victim of a crime, they cannot report it. They cannot do that because they have to avoid contact with the police. If they are treated unfairly in the workplace, they have almost no recourse. If they are discovered, they face deportation and separation from their families. Their families, as we have indicated, are, many times, U.S. citizens.

We should not allow them to jump to the front of the line for a green card, in front of those who have played by the rules, but we should give them a place in line—a chance for citizenship—if they do what we ask of them. We could continue to track down the undocumented housekeepers, dishwashers, and farm laborers who live among us or we can provide them the chance to earn their citizenship with all the responsibilities it requires and refocus our limited resources on those who would do us harm, rather than those who would do us proud. We could embrace the unrealistic rhetoric calling for mass deportation, or we could pass laws that require them to pay taxes and learn English. If we put rhetoric aside, we have the opportunity to pass a law that treats people fairly and strengthens our economy.

Over the past several weeks, a group of Senators has spent countless hours and days negotiating in good faith and in the spirit of compromise.

Last week, Democrats and Republicans, standing with the Secretaries of Homeland Security and Commerce, announced they had finally reached an agreement on immigration reform. The bill they have drafted will be offered as a substitute amendment this evening for us to debate and amend this week.

I am grateful to my colleagues for their hard work. Reaching agreement on an issue as controversial as immigration requires extraordinarily hard work, compromise, and consensus building. They have taken that important first step.

I was not heavily involved in the negotiations, but similar to some of my colleagues, I have reservations about the agreement that was reached. The bill impacts families in a number of ways that I believe are unwise. The bill also allows 400,000 low-skilled workers to come to America for three 2-year terms but requires them to go home for a year in between. This is impractical both for the worker and for the American employers who need a stable, reliable workforce.

Senator BINGAMAN will offer an amendment almost immediately when the bill is laid down to reduce that number to at least 200,000.

We must not create a law that guarantees a permanent underclass—people who are here to work in low-wage, low-skill jobs but don't have the chance to put down roots or benefit from the opportunities that American citizenship affords.

Allowing these temporary workers to apply for possible citizenship through a new points system is not good enough. There must be certain opportunities for those who are willing to work hard and contribute to our economy.

Finally, I will say a word about the idea of this so-called touchback, which would require the head of each household eligible for legalization to return to their home country to file their application for a green card.

I understand this concept is important to many of my colleagues, but it seems to be a plan that will cause needless hardship for immigrants and needless bureaucracy for the Government.

Nearly everyone agrees that the existing bill is imperfect. The problems I have outlined will be addressed in the Senate and in the House and, of course, in conference. What we have now, though, is a starting point.

I urge my colleagues to vote for cloture so we can begin an open debate. The bipartisan legislation before us is not perfect, but I think we can agree the spirit of bipartisanship behind it is encouraging.

If we continue along that road in the coming days, I am confident we can write another chapter in America's great immigration story that makes our country safer, treats people with dignity, and keeps our economy moving in the right direction.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1348, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 144, a bill (S. 1348) to provide for comprehensive immigration reform, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Alabama, Mr. SESSIONS, is recognized for up to 3 hours.

Mr. SESSIONS. Mr. President, there are more than 3 hours' worth of discussion that needs to go on concerning this bill, that is for certain.

I appreciate Senator REID's comments, but I express some concerns about what I understood him to say a few moments ago. He is the Democratic leader. He does have the power to call up legislation in the end and to try to set the agenda but not the total power to do so. I think I heard him say he would like to see this bill—he wants to see debate and amendments this week.

I have to say there is no way this bill can be voted on and amended only this week. We have had legislation such as WRDA that we took up for 2 weeks, a re-authorization of the water resources bill. When we worked on the bankruptcy reform bill, which mainly was a reworking of the existing bankruptcy law, with some changes, we debated that for months. So there is no way we can or should produce this bill after 1 week of debate.

If that is so, the American people can know we have had a railroad job for sure. Hopefully, that does not reflect Senator REID's firm and final opinion on the question of the schedule for this week.

Also, I wish to say I am not pleased, and I oppose the motion to proceed to last year's bill.

When we talked about the comprehensive immigration bill last year, I pointed out 17 loopholes in the bill in a series of speeches, and people began to take to heart a number of points I made, frankly. The negotiators of the new bill have come back with a bill that has some of the intention to or at least purports to deal with some of the concerns I had last year.

I have to say I was pleased to hear that we were considering a point system, such as Canada's, that we were considering a temporary worker program. I was told by the people who met and drafted this legislation, that the guest worker program would be for temporary workers and it could work to serve our economy.

I am afraid, that if you read the legislation, that the needed immigration